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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/722,923	11/27/2000	Terence Leong	SMQ-114RCE/P5635	4941
66083	7590	07/16/2007	EXAMINER	
SUN MICROSYSTEMS, INC. c/o DORSEY & WHITNEY, LLP			LUDWIG, MATTHEW J	
370 SEVENTEENTH ST.			ART UNIT	PAPER NUMBER
SUITE 4700			2178	
DENVER, CO 80202			MAIL DATE	DELIVERY MODE
			07/16/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	09/722,923	LEONG ET AL.
	<b>Examiner</b>	<b>Art Unit</b>
	Matthew J. Ludwig	2178

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 03 May 2007.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1,2,4-10,13-19,21-27,30-36,38-44,47-53 and 55-59 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1,2,5-10,13-20,22-27,31-37,39-44,48-54 and 56-59 is/are rejected.
- 7) Claim(s) 4,21,30,38,47 and 55 is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.
 

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date: _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date: _____   | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

1. This action is responsive to communications: Amendment filed 11/13/2006.
2. Claims 1, 2, 4-10, 13-19, 21-27, 30-36, 38-44, 47-53, 55-59 are pending in the case. Claims 1, 9, 18, 26, 35, 43, and 52, are independent claims. Applicant cancelled claims 3, 11, 12, 20, 28, 29, 37, 45, 46, 54, and 45.
3. Claims 1-2, 5-10, 13-20, 22-27, 31-37, 39-44, 48-54, and 56-59, remain rejected under 35 U.S.C. 103(a), as being unpatentable over Fong et al., USPN 6,678,867 filed (7/6/2001) in view of Bernstein.

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
5. **Claims 1-2, 5-10, 13-20, 22-27, 31-37, 39-44, and 48-54, and 56-59, are rejected under 35 U.S.C. 103(a) as being unpatentable over Fong et al., USPN 6,678,867 filed (7/6/2001) in view of Bernstein et al., Pat Pub. US 2004/0162841.**

**In reference to independent claim 1,** Fong teaches:

Shows a hierarchical view of the DTD Map class object that can be stored in a file through object oriented techniques (compare to “*requesting to store an instance of an object implemented in a first programming language into a database*”). See column 12, lines 14-26.

Because the limitation fails to provide any further description of who made the request, the techniques used in Fong suggests a request being made to store objects within a file.

Figure 5 illustrates a data flow diagram showing the flow of data through the SGML to HTML mapping and transformation. The reference utilizes DTD in the representation of objects in the database. Each HTML attribute list is delimited by an HTML Attribute list Begin at the beginning and an HTML attribute list end (compare to “*providing at least one structured document representing the instance of the object including attributes and attribute values defined for a class*”). See column 12, lines 32-67.

The user is allowed to create a new map or edit an already existing map. If the user selects the Edit button from the system allows the user to interact with the system in defining a map. If the Create Map option is selected, the user is allowed to create a new map (compare to “adding content of the structured document representing the object into the database”). See column 16, lines 33-67. Furthermore, the reference describes the default button, which us the user-defined tag mapping set up by the user interaction with the SGML to JTML Map Edit dialog box (compare to “*a plurality of structured documents representing a plurality of objects originally instantiated in at least two different programming languages*”). See column 17, lines 20-67.

A MapCreateEditService is an object created by the MapService, in a call Create (new), to handle the creation of a map or the modification of an existing map. The MapService passes the HTML SymbolTable to the MapCreateEditService object from Map Service, in a call getMapCreateEditServiceObject, so that it may create or edit a map at any time (compare to “*sharing the at least one structured document representing the instance of the object*

*implemented in a first programming language with an application written in a second programming language"). See column 18, lines 37-67. The claim language fails to clearly define what is being shared between the two programming languages. The reference provides a means for mapping of a source component to plural target components. Fong accepts interactive user input, to be processed by a map creator, for making plural changes to any of the component mapping values the user desires until the user inputs a command. Bernstein teaches the sharing of objects by application programs. More specifically, a repository provides much of the same capability as the object-oriented database and in addition adds a layer of metadata describing the objects. The metadata includes information such as data types of attributes, descriptions of object types, and description of data structures, such as collections. The reference to Bernstein also provides object structures which contain a group of objects that are organized according to a particular data structure. This data structure can include a collection, sequence, array, table, or record structure. It would have been obvious to one of ordinary skill in the art, having the teachings of Fong and Bernstein before him/her at the time the invention was made, to modify the SGML to HTML mapping methods of Fong to include the object/application sharing techniques of Bernstein because it would have allowed for a faster and more efficient mechanism to access the properties and collections of objects stored in a database. The newly formed limitation 'providing access to the database of objects such that application programs implemented in the first and second programming languages are capable of sharing objects represented as structured documents in the database' fails to accurately define a specific step or function when read as a whole. The term 'capable of' found within the limitation fails to further define the claim and fails to require some explicit state from taking place and instead is*

interpreted as a specific step which may or may not be required to take place. Therefore, the reference to Fong in view of Bernstein provides an adequate suggestion of providing access to the database of objects. See column 17, lines 20-67 and column 18, lines 37-67.

**In reference to dependent claim 2, Fong teaches:**

Figure 1A. is a declaration for an attribute list for the element. An attribute is a property of an element that takes on different values for different instances of elements. See column 7, lines 39-67.

**In reference to dependent claim 5, Fong teaches:**

First, the SGML document is analyzed to determine the document type of the input SGML document and the name of the system file where the SGML documents DTD is stored. See column 8, lines 26-56.

**In reference to dependent claim 6, Fong teaches:**

The class schema is implemented in SGML, which provides a schema and DTD, which are common to the generalized markup language as well as the extensible markup language. See column 8, lines 8-36.

**In reference to dependent claim 7, Fong teaches:**

The class schema is implemented in SGML, which provides a schema and DTD, which are common to the generalized markup language as well as the extensible markup language. See column 8, lines 8-36.

**In reference to dependent claim 8**, Fong teaches:

The invention has been implemented using object-oriented techniques, although any programming technique and/or hardware may be used to implement the invention. For purposes of this description, a class is a description of the structure and behavior of an object, while an object is an instance of the item described by a class. See column 12, lines 15-35.

**In reference to claims 9, 10, 13-19, 21-27, 30-34**, the claims reflect the system comprising computer instructions used for performing the methods as claimed in 1-2, 5-8. In further view of the following, the claims are rejected under similar rationale.

**In reference to claims 35, 36, 38-44, 47-53, 55-59**, the claims reflect the article of manufacture comprising instructions used for performing the methods as claimed in 1-2, 5-9. In further view of the following, the claims are rejected under similar rationale.

***Allowable Subject Matter***

6. Claims 4, 21, 30, 38, 47, and 55, are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Response to Arguments***

7. Applicant's arguments with respect to claims 1, 2, 4-10, 13-19, 21-27, 30-36, 38-44, 47-53, 55-59 has been considered but not persuasive.

Applicant argues on page 11, that objects implemented in different programming languages are stored in the database in an intermediate format so that the objects can be accessed

by applications written in the first and second programming languages. The language regarding ‘intermediate format’ could not be found within the limitations of the claim. The reference to Fong does provide a suggestion of limitation regarding “receiving an instance of a second object to store in the database wherein the second object is implemented in a second programming language”. Fong provides a means for mapping of a source component to plural target components. Fong accepts interactive user input to be processed by a map creator for making plural changes to any of the component mapping values the user desires until the user inputs a command.

The newly formed limitation ‘providing access to the database of objects such that application programs implemented in the first and second programming languages are capable of sharing objects represented as structured documents in the database’ fails to accurately define a specific step or function when read as a whole. The term ‘capable of’ found within the limitation fails to further define the claim and fails to require some explicit state from taking place and instead is interpreted as a specific step which may or may not be required to take place. Therefore, the reference to Fong in view of Bernstein provides an adequate suggestion of providing access to the database of objects. See column 17, lines 20-67 and column 18, lines 37-67.

***Conclusion***

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew J. Ludwig whose telephone number is 571-272-4127. The examiner can normally be reached on 9:00am-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on 571-272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2178

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

ML



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